

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

**FELIX C. ONUKWUGHA,
Plaintiff,**

v.

Case No. 13-CV-00102

**BRIGGS & STRATTON, and
COOPER POWER SYSTEMS, LLC,
Defendants.**

ORDER

Plaintiff filed this case on January 28, 2013. Pursuant to Fed. R. Civ. P. 4(m) plaintiff had 120 days from filing within which to effect service of the complaint upon the defendant. That time period has expired, yet no proof of service has been submitted to the court to date. As no service appears to have been effected within the 120-day period, Rule 4(m) and Civil L.R. 41.1 allow me to dismiss the case without prejudice upon my own initiative after twenty days notice to the plaintiff. This order gives plaintiff that notice and will allow him a brief extension to secure service and file appropriate proof thereof.

Because plaintiff proceeds pro se, I hereby put him on notice that certain rules govern how to effect proper service of the complaint and summons. I am enclosing for his benefit copies of Fed. R. Civ. P. 4 and Wis. Stat. § 801.11, which control the matter. If personal service is necessary, plaintiff should file as proof a notarized affidavit from the person effecting service or other proof as allowed by Rule 4 or § 801.11. An affidavit regarding service should include the date, time, and location of personal service, a listing

of the documents served (which must include the complaint and summons), and the name of the person who personally took possession of them.

THEREFORE IT IS ORDERED that plaintiff has 21 days from the date of this order (until July 8, 2013) within which to serve defendant and file proof of that service with the clerk of this court. Plaintiff is hereby put on notice that if he fails to comply with this order this case will be dismissed.

Dated at Milwaukee, Wisconsin, this 17th day of June 2013.

s/ Lynn Adelman
LYNN ADELMAN
District Judge